

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 07, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIGUEL REYES GARCIA (21);

Defendant.

No. 4:15-CR-06049-EFS-21

EX PARTE

**ORDER DENYING EX PARTE MOTION TO
WITHDRAW**

On March 6, 2018, the Court held a hearing regarding defense counsel Kenneth Therrien's Ex Parte Motion to Withdraw as Counsel, ECF No. 685. Mr. Therrien moved the Court to withdraw from representation of Defendant Miguel Reyes Garcia due to Mr. Garcia's request for a new attorney. At the hearing, Mr. Garcia informed the Court that he was frustrated he was not permitted to possess the discovery in his case and that he felt threatened by Mr. Therrien's delivery of the Government's plea offers. Mr. Therrien responded that he had repeatedly met with Mr. Garcia and permitted him to look through all of the discovery in the case and that he had simply communicated the plea offers as presented by the Government.

The Court denied the motion and explained to Mr. Garcia that Mr. Therrien was appointed, not retained, and that he was not entitled to a new attorney simply because he requested one. The Court further

1 explained that Mr. Garcia was not entitled to possess all of the
2 discovery in the case and that the penalties for the crimes with which
3 he is charged are set by Congress, not by Mr. Therrien. This Order
4 memorializes that oral ruling.

5 Accordingly, **IT IS HEREBY ORDERED:** Defense Counsel Kenneth
6 Therrien's Motion to Withdraw as Counsel, **ECF No. 685**, is **DENIED**.

7 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this
8 Order as **ex parte** and provide copies to Mr. Therrien.

9 **DATED** this 7th day of March 2018.

10 s/Edward F. Shea

11 EDWARD F. SHEA

12 Senior United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26